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MINISTRY OF LAW
(Legislative Department)

New Delhi, the 3rd November, 1962/Kartika 12, 1884 (Saka)

THE DEFENCE OF INDIA (AMENDMENT)
ORDINANCE, 1962

No. 6 OF 1962

Promulgated by the President in the Thirteenth Year of the
Republic of India.

An Ordinance to amend the Defence of India Ordinance, 1962.

WHEREAS the President has declared by Proclamation under clause (1) of article 352 of the Constitution that a grave emergency exists whereby the security of India is threatened by external aggression;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Defence of India (Amendment) Ordinance, 1962.
- (2) It shall come into force at once.

Short
title and
commence-
ment.

Amend-
ment of
section 3
of Ord.
4 of 1962.

2. In the Defence of India Ordinance, 1962 (hereinafter referred to as the principal Ordinance), in sub-section (2) of section 3—

(a) in sub-clause (j) of clause (9), after the words 'civil defence', the words 'the public safety' shall be inserted;

(b) after clause (13), the following clause shall be inserted, namely:—

"(13A) notwithstanding anything in any other law for the time being in force,—

(i) the apprehension and detention in custody of any person whom the authority empowered by the rules to apprehend or detain, as the case may be, suspects, on grounds appearing to that authority to be reasonable, of being of hostile origin or of having acted, acting, being about to act or being likely to act in a manner prejudicial to the defence of India and civil defence, the security of the State, the public safety or interest, the maintenance of public order, India's relations with foreign States, the maintenance of peaceful conditions in any part or area of India or the efficient conduct of military operations, or with respect to whom that authority is satisfied that his apprehension and detention are necessary for the purpose of preventing him from acting in any such prejudicial manner,

(ii) the prohibition of such person from entering or residing or remaining in any area, and

(iii) the compelling of such person to reside and remain in any area, or to do or abstain from doing anything;"

Amend-
ment of
section 6.

3. In section 6 of the principal Ordinance, for sub-clause (a) of clause (1), the following sub-clause shall be substituted, namely:—

"(a) in sub-section (1) of section 5 thereof, after the words 'in his possession or control', the words 'any information likely to assist the enemy as defined in the rules made under the Defence of India Ordinance, 1962, or' had been inserted; and after the words 'in such a place', the words 'or which relates to or is used in, a protected area as defined in the rules made under the Defence of India Ordinance, 1962, or relates to anything in such area,' had been inserted."

S. RADHAKRISHNAN,

President.

THE COMPANIES (AMENDMENT) ORDINANCE, 1962

No. 7 OF 1962

Promulgated by the President in the Thirteenth Year of the Republic of India.

An Ordinance further to amend the Companies Act, 1956.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Companies (Amendment) Ordinance, 1962.

Short title and commencement.

(2) It shall come into force at once.

2. During the period of operation of this Ordinance, the Companies Act, 1956, shall have effect as if after section 293A, the following section had been inserted, namely:—

Insertion of new section 293B.

“293B. The Board of directors of any company may, notwithstanding anything contained in sections 293 and 293A or in the memorandum, articles or any other instrument relating to the company, contribute such amount as it thinks fit to the National Defence Fund or any other Fund approved by the Central Government for the purpose of national defence.”.

Power of Board to make contributions to National Defence Fund, etc.

S. RADHAKRISHNAN,

President.

R. C. S. SARKAR,

Secy. to the Govt. of India.

